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### **REMARKS/ARGUMENTS**

Claims 1, 6 and 8 to 11 have been amended to better define the Applicant's invention.

The Examiner has rejected claims 8 to 11 as being indefinite under 35 U.S.C. 112, second paragraph. The claims have been amended to overcome the Examiner's rejection.

The Examiner has rejected claims 1 to 5 as being anticipated by Cyr (U.S. 5,769,221) under 35 U.S.C 102(b).

The Applicant's invention as defined by amended claim 1 is a stackable shock-absorbent spacer including an impact absorbing body having a thickness and adhesive material on at least one side of the impact absorbing body. The adhesive material couples the side of the impact absorbing body to an internal side of a carrying case to reduce an internal dimension of the carrying case between the internal side and an opposing internal side of the carrying case by the thickness.

Cyr discloses a lens-gate divider system for a camera bag in which dividers 56 and 58 are provided to divide the camera bag into at least three compartments.

Cyr does not teach or suggest a stackable shock-absorbent spacer as defined by amended claim 1. In particular, Cyr does not teach or suggest a stackable shock-absorbent spacer in which adhesive material is provided on at least one side of an impact absorbing body and the adhesive material couples the side of the impact absorbing body to an internal side of a carrying case to reduce an internal dimension

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of the carrying case between the internal side and an opposing internal side of the carrying case by the thickness.

The dividers of Cyr have a length that spans an entire width of the camera bag. Each divider is anchored to opposing internal sides of the camera bag and includes a complex cut-out for receiving a camera. The internal dimension of the camera bag at the divider location is reduced by a portion of the length. Specifically, the internal dimension is reduced by a width of lateral support 66 and a width of lateral support 68. In contrast to the Applicant's invention as defined by amended claim 1, the internal dimension must be reduced from opposing internal sides of the camera bag simultaneously in order for the divider to perform its function. Further, the internal dimension is not reduced by a thickness of the divider but instead by a portion of the length of the divider.

In addition, the Examiner has stated that the dividers of Cyr are inherently stackable along their major surfaces 57. Applicant submits that if the dividers were stacked in the manner suggested by the Examiner, the stacked dividers would not "reduce an internal dimension of the carrying case between the internal side and an opposing internal side of the carrying case by the thickness", as required by amended claim 1. Therefore, Applicant submits that amended claim 1 and claims 2 to 5, which depend from amended claim 1, are not anticipated by Cyr.

The Examiner has rejected claim 6 under 35 U.S.C. 102(b) as being anticipated by Park (U.S. 6,073,770).

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The Applicant's invention as defined by amended claim 6 is a carrying case with adaptable internal dimensions for accommodating contents of different sizes and shapes. The carrying case includes a plurality of internal side walls and a plurality of stackable shock-absorbent spacers for insertion between the side walls and said contents, wherein adjacent ones of said stackable shock-absorbent spacers are removably coupled to one another.

Park discloses a briefcase including a plurality of shock-absorbing air pads. The air pads are coupled to interior corners of the briefcase to provide shock absorption for an article being carried in the briefcase. The shock absorbing air pad of Figure 8 is made up of three different types of foaming pieces: a first foaming piece located furthest from a sidewall, a second foaming piece located adjacent the first foaming piece and a third foaming piece located closest to the sidewall. The ductility of the first foaming piece is selected to absorb impact applied to the air pad. The second foaming piece has a greater elasticity than the first foaming piece to absorb a portion of the impact force not absorbed by the first foaming piece. The third foaming piece has a greater elasticity than the second foaming piece for absorbing another portion of the impact force not absorbed by the second foaming piece. The air pads of Park are alternatively removable so that articles such as documents, clothes, etc. that do not require shock absorption may be transported.

Park does not teach or suggest a plurality of stackable shock-absorbent spacers for insertion between the side walls and said contents, wherein adjacent ones of said stackable shock-absorbent spacers are removably coupled to one another. In fact, Park teaches against stacking the air pads for several reasons. First, the air pads of Park are designed to dissipate and absorb an impact force on their own. In the case

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of the three layer air pad, the elasticity of the layers is carefully selected to maximize the impact absorption so that a single air pad may efficiently absorb the impact force. Providing additional air pads is not contemplated because it would not improve the impact absorption. Second, because the air pads are provided at the corners, stacking additional air pads would result in a portion of the first shock absorbing section and a portion of the second shock absorbing section of each subsequent air pad overhanging, and therefore being unsupported by, the respective shock absorbing sections of the previous air pad. Finally, both the inner and outer skins of the shock absorbing sections are made of urethane, which does not naturally adhere to itself. Park does not provide any means for the air pads to be removably coupled to one another.

The Examiner has rejected claims 7 to 11 under 35 U.S.C 103(a) as being obvious over Park (U.S. 6,073,770) in view of Cyr (U.S. 5,769,221). Specifically, the Examiner has suggested that combining the air pads of Park and the adhesive of Cyr would arrive at the Applicant's invention as defined by claims 7 to 11.

The adhesive 174 disclosed by Cyr is provided to transform a partial divider, which has a gap, into a full divider that extends across the entire width of the camera bag. Applicant submits that amended claim 6, from which claims 7 to 11 depend, is not obvious over Park in view of Cyr. Neither reference discloses "a plurality of stackable shock-absorbent spacers for insertion between the side walls and the contents; wherein adjacent ones of said stackable shock-absorbent spacers are removably coupled to one another", as required in amended claim 6. As previously discussed, Park teaches against stacking the air pads and stacking the dividers of Cyr in the manner suggested by the Examiner does not allow for "insertion between the side


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walls and the contents". Therefore, combining the teachings of Park and Cyr cannot possibly result in the Applicant's invention as defined by amended claim 6. It follows that claims 7 to 11, which depend from amended claim 6, are not obvious over Park in view of Cyr.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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